

Law Offices of Ezra Spilke

1825 Foster Avenue, Suite 1K
Brooklyn, New York 11230
t: (718) 783-3682
e: ezra@spilkelaw.com
www.spilkelaw.com

April 17, 2020

BY ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Rodriguez*, No. 16-CR-7-AJN
Rodriguez v. United States, No. 19-CV-11662-AJN

Dear Judge Nathan:

I write to respectfully request a modification of the briefing schedule for Anthony Rodriguez's supplemental brief. This is the second such application. The first application, extending the briefing schedule by approximately forty-five days, was unopposed and was granted on March 5. I have conferred with counsel for the government, who consents to this request.

I am in the process of obtaining from the New York State Supreme Court clerk the criminal file for the prior felony that formed the predicate for the 18 U.S.C. § 922(g) crimes of which Mr. Rodriguez was convicted. I was in the process of doing so when, last month, the clerk's office was closed for all but essential and emergency matters.

In addition, since the week of March 16, I have submitted emergency bail, compassionate release or furlough submissions in seven cases so far. All have resulted in oral argument and/or supplemental briefing. Like many of my colleagues, I also receive daily, panicked emails, phone calls and text messages from family members of my incarcerated clients seeking my assistance in securing the safety of their loved ones.

Mr. Rodriguez is to file his supplemental brief today, the government is to respond by June 17, and Mr. Rodriguez is to file his reply, if any, by July 1. Mr. Rodriguez respectfully requests a modification of the briefing schedule whereby Mr. Rodriguez is to file a supplemental brief on or before May 15, 2020, to which the government may respond on or before July 15, 2020. Mr. Rodriguez also requests that any reply be filed on or before July 22, 2020.

SO
ORDERED.

Hon. Alison J. Nathan
Page 2 of 2

Please accept my apologies for the lateness of this request. This week, a family member unexpectedly fell ill, and I have been caring for her, which has left me with increased childcare responsibilities. Mr. Rodriguez and I appreciate the Court's considerate attention to this matter.

Respectfully submitted,

/s/ Ezra Spilke

Ezra Spilke
1825 Foster Avenue, Suite 1K
Brooklyn, New York 11230
(718) 783-3682
Counsel for Anthony Rodriguez

Cc: Mr. Anthony Rodriguez by U.S. Mail
All counsel of record by ECF

